REMARKS

This Amendment is in response to the Office Action mailed January 12, 2006. Claims 1-7, 9, 11-16, and 18-22 were examined in the Office Action. Claims 1-7, 9, 11-16, and 18-22 were rejected. Claims 1-9, 11-16, and 18-22 have been amended. Claims 1-7, 9, 11-16, and 18-22 remain pending in this case. Applicant respectfully requests reconsideration and examination in view of the following remarks.

Substance of Interview Summary

Applicants appreciate the opportunity to discuss aspects of the claimed invention with Examiner Peaches. In the telephonic interview with the Examiner on February 7, 2006, the undersigned representative for the Applicant submits that claim 1 was discussed in view of the previously cited references Nagendran and Brody. In the interview, the undersigned representative and Examiner Peaches discussed the differences between claim 1 and the combination of Nagendran and Brody, and possible amendments to claim 1 to further distinguish the claim from the combination of Nagendran and Brody.

Claim Rejections- 35 U.S.C. §103

Claims 1-7, 9, 11-16, and 18-22 are rejected under 35 U.S.C. §103 (a) as being unpatentable over Nagendran, U.S. Patent Number 6,731,940 B1 (hereinafter "Nagendran") and in view of Brody et al., U.S. Patent Number 4,670,899 (hereinafter "Brody"). Applicants respectfully submit that this rejection has been overcome by the amended claims. No new matter has been added.

Amended claim 1 recites method for providing entry node location information to a service provider in a wireless telecommunication system, comprising the steps of, *inter alia*, extracting resource identification information from call record data and forwarding said resource identification information to a service provider host.

Amended claim 13 recites a mobile switch for providing entry node location information to a service provider in a wireless telecommunication system, comprising, *inter alia*, means for extracting resource identification information from call record data and forward said resource

identification information to a service provider host, wherein the forwarded resource identification information is used to determine the location of the entry node.

Amended claim 19 recites a method for providing entry node location information to a service provider in a wireless telecommunication system, comprising the steps of, *inter alia*, extracting the resource identification information from the traffic log and sending the subscriber data packet, a positive acknowledgement and the extracted resource identification information from the entry node to a service provider.

Nagendran discloses a method for using the RF signal characteristics, or information derived therefrom, of the receiving wireless device to customize the delivery and or content of information to the receiving wireless device, for one or more wireless devices, including, but not limited to, mobile wireless communication devices. See Nagendran column 2, lines 13-18. Nagendran also discloses

> After the signal signature has been determined, it is then compared to a database of calibrated signal signatures and corresponding locations. The database of calibrated signal signatures and corresponding locations can be generated by a calibration procedure in which GPS location data of a calibration mobile unit is associated with the signal signature of the calibration mobile unit received at the base station. By searching such a database, a location which has a calibrated signature associated with it that best matches the measured signature is selected as the most likely location of the mobile device. The entire location finding process takes place within seconds, fractions of seconds or near real-time.

See Nagendran column 5, lines 10-21.

Brody discloses a method of dynamically redistributing cells by selectively transferring ongoing calls to adjacent cells in accordance with traffic level in order to reserve channels for hand-offs and for new calls. See Brody column 7, lines 4-8. Brody also discloses that, "[e]ach cell of system 10 has associated with it a Table 80 called LBSTATUS ("Load Balancing Status") and a Table 94 called "Adjacent Cell Table". The LBSTATUS Table 80 of each cell stores information concerning cell mode and cell VCO as well as the DHTHRESH and DRTHRESH values assigned to the cell." See Brody column 13, lines 37-45.

The Office Action fails to establish a *prima facie* case of obviousness for the subject matter of amended claims 1, 13 and 19. Courts have generally recognized that a showing of a *prima facie* case of obviousness necessitates three requirements: (i) some suggestion or motivation, whether in the references themselves or in the knowledge of a person of ordinary skill in the art to modify the reference or combine the reference teachings; (ii) a reasonable expectation of success; and (iii) the prior art references must teach or suggest all claim limitations. See e.g., In re Dembiczak, 175 F.3d 994 (Fed. Cir 1999); In re Rouffet, 149 F.3d 1350, 1355 (Fed. Cir. 1998); Pro-Mold & Tool Co. v. Great Lakes Plastics, Inc., 75 F.3d 1568, 1573 (Fed. Cir. 1996). The references used in the Office Action fail at least the third prong of obviousness in that the prior art references do not teach or suggest all claim recitations.

The combination of Nagendran and Brody fails to teach or suggest all the recitations of claims 1, 13 and 19. Specifically, the combination fails to teach or suggest extracting resource identification information from call record data and forwarding said resource identification information to a service provider host, as recited in claim 1. The Office Action acknowledges that Nagendran fails to teach or suggest extracting resource identification information. Therefore, Nagendran cannot teach or suggest forwarding extracted resource identification information to a service provider host. In addition, Brody merely updates a state for each cell in a system to reflect changes in system traffic loading. See Brody column 14, lines 22-37. Brody does not teach or suggest the above cited recitation because Brody merely provides an exchange of information between the MTX and the cell site controller and fails to forward resource identification information to a host. Accordingly, the rejection of claim 1 should be withdrawn.

The combination of Nagendran and Brody fails to teach or suggest all the recitations of claim 13. Specifically, the combination fails to teach or suggest a mobile switch for providing entry node location information to a service provider in a wireless telecommunication system having a means for extracting resource identification information from call record data and forward the resource identification information to a service provider host, wherein the forwarded resource identification information is used to determine the location of the entry node. For the reasons mentioned above with respect to claim 1, the rejection of claim 13 should be withdrawn.

The combination of Nagendran and Brody fails to teach or suggest all the recitations of claim 19. Specifically, the combination fails to teach or suggest extracting resource identification information from a traffic log and sending a subscriber data packet, a positive acknowledgement and the extracted resource identification information from the entry node to a service provider. For the reasons mentioned above with respect to claim 1, the rejection of claim 19 should be withdrawn.

Thus, Nagendran and Brody whether considered alone or in combination fail to teach or suggest all the recitations of claims 1, 13 and 19. Claims 2-7, 9, 11 and 12 depend from claim 1, claims 14-16 and 18 depend from claim 13 and claims 20-22 depend from claim 19 and are allowable over Nagendran and Brody along with claims 1, 13 and 19 for the reasons mentioned above and on their own merit.

Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned please contact Applicants' undersigned attorney at 404.954.5040.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

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Date: April 12, 2006

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